

EXHIBIT H

Francesco Gallo

1/7/2008

1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

ESTER LORUSSO,

Plaintiff,

-against-

1:07 CV 03583-LBS

ALITALIA-LINEE AEREE ITALIANE, SpA,

Defendant.

-----x

DEPOSITION OF FRANCESCO GALLO

Monday, January 7, 2008

New York, New York

REPORTED BY:

Holly Hough

Francesco Gallo

1/7/2008

1	GALLO	6	1	GALLO	8
2	EXAMINATION BY MS. KURZON:		2	for the credit-and-collection procedure, which did	
3	Q. Good morning, Mr. Gallo.		3	not exist. And because --	
4	A. Good morning.		4	MR. AKIN: She wants to know just about	
5	Q. My name is Carrie Kurzon. I represent the		5	your titles, not go into details of your	
6	plaintiff, Ester LoRusso, in this matter. I'm going		6	titles, just the titles.	
7	to be asking you some questions today. I ask that		7	THE WITNESS: Oh, sorry, okay.	
8	all of your answers be verbal so that the court		8	A. After that I was promoted to	
9	reporter can take them down, and that you also let		9	administrative manager assistant for North America.	
10	me finish my questions before you begin your		10	After a year or two, I was promoted to	
11	answers, even if you believe you know what I'm going		11	administrative manager for North America.	
12	to ask you, again, for the ease of the court		12	Q. Are you saying administrative?	
13	reporter. And if you don't understand any of my		13	A. Administrative manager.	
14	questions, please let me know and I will rephrase		14	Q. Thank you.	
15	them for you. Do you understand?		15	A. And after that I was promoted to CFO,	
16	A. Yes.		16	North America and vice president human relation,	
17	Q. Are you testifying today pursuant to a		17	North America. After that I took part of the	
18	subpoena that my office served you with previously?		18	committee for the human relation to represent	
19	A. Yes.		19	Alitalia.	
20	Q. And is there any reason you cannot testify		20	MR. AKIN: She's interested in just the	
21	truthfully today?		21	titles, not what you did in those capacities,	
22	A. No.		22	just in what the title was.	
23	Q. Mr. Gallo, were you previously employed by		23	A. Well, title remained the same, but okay.	
24	Alitalia?		24	What I wanted to say, that I was also part of the	
25	A. Yes, I was.		25	committee, there was no special title, with KLM	
1	GALLO	7	1	GALLO	9
2	Q. And what were the dates of your		2	Alitalia Alliance. Came a point that actually from	
3	employment, approximately?		3	'95 on, I believe, that I maintained the CFO title,	
4	A. September 30, 1968 up through May, I		4	the vice president human relation, vice president	
5	believe, 8th, May 8, 2006.		5	security for North America, till the end of 1999,	
6	Q. And what were your titles that you held		6	when I was nominated managing director for North	
7	while employed by Alitalia? We can start from the		7	America. I believe in 2002, I became senior vice	
8	beginning.		8	president, senior vice president, regulatory affair	
9	A. Well, it is a long time ago. I started as		9	for North America, May 2008.	
10	a junior accountant in the Accounting Department.		10	Q. May 2000-what?	
11	While I was in the Administration Department, after		11	A. May 2006, they fired me.	
12	probably one year or so, I was promoted to		12	Q. And when you became senior vice president,	
13	accountant.		13	regulatory affairs for North America in	
14	Following that I was promoted to		14	approximately 2002, did you maintain your title as	
15	supervisor, financial agreement. After that I was		15	CFO?	
16	transferred to be a supervisor of credit and		16	A. No, I maintained the title of CFO up to	
17	collection for North America. After one year, I was		17	the time that I was also a managing director and	
18	a supervisor for credit and collection.		18	vice president human resources for North America.	
19	Q. Supervisor for what?		19	Actually, if you see it as being for a period of	
20	A. Credit and collection.		20	time that I had four major functions altogether.	
21	Q. Okay.		21	Q. At which point in time?	
22	A. I agreed with Alitalia to spend two weeks		22	A. 1999, I'll say, to 2001.	
23	in Rome and two weeks in United States, where I		23	Q. And what were those four major functions?	
24	performing my duty as credit-and-collection		24	A. CFO, vice president, human resources,	
25	supervisor to design a system, an accounting system,		25	security.	

3 (Pages 6 to 9)

Francesco Gallo

1/7/2008

1	GALLO	10	1	GALLO	12
2	Q. Vice president of security for North		2	Q. And what time period are you referring to	
3	America?		3	when Mr. Sciarresi was director of HR and you would	
4	A. Right, and managing director.		4	refer complaints to him?	
5	Q. And in 2002, when you were promoted to		5	A. I don't remember the specific dates, but I	
6	senior vice president, regulatory affairs for North		6	believe that it was around 2003, the end of 2002,	
7	America, what were your job responsibilities at that		7	2003.	
8	time?		8	Q. In your capacity as senior vice president	
9	A. If I may, I would like to correct that.		9	from 2002 through the time of your termination, who	
10	Q. Please do.		10	reported to you, if anyone?	
11	A. It was not a promotion, but it was a		11	A. Well, after that, Mr. Sciarresi got sick	
12	demotion.		12	and left, I was asked to retake the human resource	
13	Q. Oh, thank you.		13	directly, so I had --	
14	A. As far as I'm concerned.		14	MR. AKIN: Her question is very specific.	
15	Q. Okay.		15	She just wants to know people that reported to	
16	A. And as far as Alitalia was concerned.		16	you, who were subordinates that reported to	
17	Q. When you were demoted in 2002 to senior		17	you, if I understand the question correctly.	
18	vice president regulatory affairs for North America,		18	THE WITNESS: Okay.	
19	what did your job duties consist of?		19	A. Angela Ross.	
20	A. The regulatory affair for North America,		20	Q. And what are their titles? I'm sorry.	
21	security, legal, and for a period of time, vice		21	A. Manager payroll, I believe, benefit and	
22	president human resources.		22	payroll. Stephanie --	
23	Q. Were you told why you were being demoted		23	Q. DiClemente?	
24	at that time?		24	A. DiClemente, right. You know better than I	
25	A. Yes.		25	do.	
1	GALLO	11	1	GALLO	13
2	Q. What was the reason?		2	Q. And what was her title?	
3	A. I was hospitalized. When Mr. Luigi		3	A. Manager training and development,	
4	DiBianco, the two officers of Alitalia from Rome,		4	something like that. And I believe Linda, Linda, I	
5	came and visit me and told me that the CEO decided		5	believe Monsarvartes, something like that.	
6	to restructure the North America setup, and they		6	MR. AKIN: If you don't remember, tell her	
7	were dividing the responsibility between me and a		7	you don't know.	
8	younger manager coming from Italy.		8	Q. Just let me know if you don't remember	
9	Q. And who is that?		9	anything.	
10	A. Mr. Wulff.		10	Do you recall what Linda's title was?	
11	Q. That Neals Wulff?		11	A. She was reporting to payroll,	
12	A. Neals Wulff, right.		12	representative anyway. And Marta Lotti, she was	
13	Q. And who was the CEO at that time?		13	public relation director, North America; Orlando	
14	A. Francesco, like me, Mengozzi.		14	D'Oro, vice president regulatory affair; Juliana	
15	Q. And from 2002 through the time of your		15	McDonald, my assistant. And that's what I remember.	
16	termination, did part of your job responsibilities		16	Q. And in your capacity as senior vice	
17	include receiving complaints from other employees?		17	president in 2002 through the time of your	
18	A. Yes, with the exception of frame of time		18	termination, who you did report to?	
19	when Alitalia headquarters office transferred		19	A. To the director of sale worldwide, at that	
20	Mr. Andrea Sciarresi as director of human resources.		20	time was Mr. Fabiani, Paolo Fabiani. I was	
21	Q. And during that time period, you did not		21	reporting to Mr. Leopoldo Conforti.	
22	receive complaints?		22	Q. I'm sorry, what was Leopoldo Conforti's	
23	A. If I did received any complaint, if had		23	title?	
24	received any complaint, I would refer that to		24	A. It was the general attorney and secretary	
25	Mr. Sciarresi.		25	of the company. And I was reporting to Mr. Luigi	

4 (Pages 10 to 13)

One Penn Plaza, NYC
email@tobyfeldman.com

Toby Feldman, Inc.
NATIONWIDE SERVICES FOR LEGAL PROFESSIONALS

tel (212) 244.3990
tel (800) 246.4950

Francesco Gallo

1/7/2008

1	GALLO	26	1	GALLO	28
2	MS. KURZON: Yes.		2	reason to terminate her during a probation period.	
3	Q. Other than anything else we discussed, was		3	Q. And what did you tell her?	
4	there any reason other than the fact that she had		4	A. Absolutely not.	
5	sexual relations with top management in Rome and		5	Q. Was Alitalia planning to terminate her	
6	based on the fact that she was perceived as old?		6	during her probation period at GA 2000?	
7	MR. KORAL: Objection.		7	A. No because if I recall well, I'm not sure,	
8	A. That's what I remember. Oh, one minute,		8	I insisted, or I tried, not to have a probationary	
9	excuse me. She was perceived to be a lesbian. Did		9	period.	
10	I say that before? I don't remember.		10	Q. Did she have a probationary period at GA	
11	Q. And who told you that?		11	2000?	
12	A. Mr. Libutti.		12	A. I don't think so.	
13	Q. And what did he say, if you recall?		13	Q. Did Ester express to you whether she	
14	A. Came across with discussing the same		14	wanted to accept this position at GA 2000, other	
15	story, so I don't remember exactly how it come up,		15	than her apprehension that she thought she would be	
16	but it came up more than once.		16	terminated during the probationary period?	
17	Q. In 2004 when you were having these		17	A. I believe she was a little concerned about	
18	discussions, do you know approximately how old Ester		18	the superiors that were there.	
19	was at that time?		19	Q. Did Alitalia issue a contract to GA 2000	
20	A. Late 40s, I believe.		20	on an annual basis?	
21	Q. Did Mr. Libutti or Mr. Galli express that		21	A. Yeah.	
22	they wanted to get rid of everyone in their late 40s		22	Q. Did Ester express any feelings to you that	
23	or just certain people or women or something else?		23	she felt that GA 2000 would close shortly after she	
24	MR. KORAL: Objection.		24	was placed there?	
25	A. Age was my sense, age, gays, lesbian.		25	A. Yes, she did.	
1	GALLO	27	1	GALLO	29
2	Q. So at that time after you and Mr. Libutti		2	Q. Did she express to you why she felt that	
3	and possibly at one meeting Mr. D'Ilario offered her		3	GA 2000 would close shortly after she was placed	
4	the severance and she refused it, was she in fact		4	there?	
5	terminated at that time?		5	A. I don't recall.	
6	A. No.		6	Q. Just to get back to your prior testimony	
7	Q. Where did she work next?		7	regarding the severance offer that you and others	
8	A. At GA 2000.		8	made to Ms. LoRusso, you referenced a plan; is that	
9	Q. And how did she come to work at GA 2000?		9	an early-retirement plan?	
10	A. Because that position was vacant.		10	A. Yes, it was, but she could not be part of	
11	Q. Who found her that position, if anyone?		11	it.	
12	A. I did.		12	Q. Why could she not be part of it?	
13	Q. You did hold a position in GA 2000 at that		13	A. Because prerequisite of that preretirement	
14	time?		14	is, if I recall well, minimum age, 50, 53, you know,	
15	A. I was the president of GA 2000.		15	there was going back and forth because -- I believe	
16	Q. What was GA 2000?		16	it was 50 or 53.	
17	A. Literally, the name was Grupo Alitalia		17	Q. During that time did Mr. Galli and/or	
18	2000. The objective for the creation of this		18	Mr. Libutti tell you what age they would like the	
19	company was to safeguard and regain all the ethnic		19	average woman to be in the New York office?	
20	traffic to Italy.		20	MR. KORAL: Objection.	
21	Q. When you found her this position at GA		21	A. The objective and part of the plan was to	
22	2000, did Ester complain about age and/or gender		22	substitute older people with younger employees, no	
23	discrimination at that time?		23	older than 30.	
24	A. I remember that she asked me if we were		24	Q. How did you know that that was the	
25	transferring, transferring her there for the only		25	objective?	

8 (Pages 26 to 29)

Francesco Gallo

1/7/2008

1	GALLO	94	1	GALLO	96
2	A. Yeah.		2	A. Which budget?	
3	Q. And as president of GA 2000, to whom did		3	Q. The GA 2000 budget, the budget we're	
4	you report?		4	talking about now.	
5	A. To Mr. Galli.		5	A. In 2004, yes.	
6	Q. This wasn't part of U.S. sales reporting		6	Q. And then when you say he presented it to	
7	to Mr. Libutti?		7	Rome, would that be to Mr. Galli, at least in the	
8	A. Reporting in terms of result, in terms of		8	first instance?	
9	money.		9	A. That is correct.	
10	Q. What about in terms of strategy?		10	Q. And then Mr. Galli might present it on to	
11	A. Strategy, no, absolutely not.		11	other people in Rome?	
12	Q. Budget?		12	A. Yes, kind of a big, you know, at different	
13	A. No.		13	levels.	
14	Q. So it reported --		14	Q. Do you know who decided to approve Ms.	
15	A. Alitalia would post the cost for GA 2000,		15	LoRusso's promotion to managing director of GA 2000?	
16	meaning commissions and whatever, but the revenue		16	MS. KURZON: Objection to the term	
17	budget was formulated by GA 2000 and presented to		17	"promotion."	
18	Alitalia.		18	MR. KORAL: I know what the objection was,	
19	Q. And approved by whom?		19	but you don't have to explain it.	
20	A. Excuse me?		20	A. What's the question?	
21	Q. Approved by whom?		21	(Pending question was read.)	
22	A. Till it was Italia Tour, Italia Tour was		22	A. I proposed it and Galli approved, no,	
23	approving the budget, and after that, Alitalia.		23	Galli, Libutti, Galli, I remember that I was	
24	Q. Mr. Libutti did not approve the budget?		24	involved, HR Rome was involved, and probably	
25	A. The budget is approved by the central		25	Mr. Libutti, yes.	
1	GALLO	95	1	GALLO	97
2	director. Mr. Libutti may have presented the		2	Q. Do you remember that Mr. Libutti was	
3	budget.		3	involved?	
4	Q. Which means that Mr. Libutti would approve		4	A. Yes.	
5	the budget before he would present it to Rome for		5	Q. And Mr. Galli, was he involved at all?	
6	some kind of final approval, yes?		6	A. Yes.	
7	MR. AKIN: Note my objection. You're		7	Q. So both Libutti and Galli approved the	
8	arguing at this point. If you have a question		8	promotion to managing director?	
9	to ask, go ahead and ask it.		9	A. Yes.	
10	MS. KURZON: Objection.		10	MS. KURZON: Objection.	
11	Q. You can answer, you know. You can answer.		11	Q. Do you consider that Ms. LoRusso received	
12	MR. AKIN: If you understand the question,		12	a promotion when she became managing director of GA	
13	you can answer it. If you don't understand --		13	2000?	
14	A. I'm trying to understand.		14	A. Yes.	
15	Q. You don't understand that question?		15	Q. Did she get more money?	
16	A. No, no. I'm trying to help you understand		16	A. Yes.	
17	the setup.		17	Q. Do you recall approximately what	
18	Q. Keep going.		18	percentage increase she received in salary?	
19	A. I finished.		19	A. I don't recall the exact number.	
20	Q. Oh, okay. So Mr. Libutti presented the		20	Q. But approximately, was it a large	
21	budget to Rome?		21	increase, would you say?	
22	MS. KURZON: Objection.		22	A. I would say so.	
23	MR. AKIN: Answer the question.		23	Q. Okay. You did testify that Ms. LoRusso	
24	Q. Mr. Libutti presented the budget to Rome;		24	told you that she was afraid that GA 2000 would	
25	did he review the budget?		25	close fairly soon, correct?	

25 (Pages 94 to 97)

Francesco Gallo

1/7/2008

1	GALLO	98	1	GALLO	100
2	A. No.		2	A. Right.	
3	Q. No. You did testify that she was afraid		3	Q. That Mr. Libutti said so, as well?	
4	that she would be put on probation and they would		4	MR. AKIN: Is that a question?	
5	fire her?		5	MR. KORAL: Yes, I'm sorry, a question	
6	A. She was soon to be terminated.		6	mark at the end of that.	
7	Q. But in fact, she wasn't put on probation?		7	A. I don't remember. I was having outside	
8	A. At GA 2000, I don't think so.		8	information from the intermediaries, the agents,	
9	Q. Do you recall?		9	about her performance.	
10	A. When I say I don't think so, I don't		10	Q. Did you ever hear any criticisms of her	
11	remember. I'm not sure.		11	performance at GA 2000 from Mr. Libutti?	
12	Q. You're not sure, you certainly don't		12	A. No.	
13	recall whether Mr. Libutti agreed that she would not		13	Q. Did you ever hear any criticism of her	
14	be on probation?		14	performance at GA 2000 from Mr. Galli?	
15	A. I think probably at the end, he agreed not		15	A. No.	
16	to, right.		16	Q. Did you have any role in the decision to	
17	Q. And Mr. Galli, do you know if he was		17	close GA 2000 and -- what was it -- Executive Tour?	
18	involved in agreeing that she wouldn't be put on		18	A. Global Executive.	
19	probation?		19	MR. AKIN: Global Executive.	
20	A. Yes.		20	Q. Sorry. Did you have any role in the	
21	Q. He agreed, as well?		21	decision to close those two businesses?	
22	A. I think so.		22	A. Absolutely not.	
23	Q. I know I asked this and that you answered		23	Q. Were you consulted?	
24	it, but I'm going to ask it again, and they can		24	A. No.	
25	object if they want.		25	Q. You didn't know it was going to happen?	
1	GALLO	99	1	GALLO	101
2	You are quite sure that Ms. LoRusso did		2	A. They asked me to close it.	
3	not express to you fears that GA 2000 would close		3	Q. Who asked you?	
4	soon after she got this promotion to managing		4	A. Mr. Galli and Mr. Libutti.	
5	director?		5	Q. They both did?	
6	A. I believe at a certain point, she did		6	A. Yes.	
7	express that, but it was I believe the end of 2000.		7	Q. Do you know whether they had any role in	
8	I don't remember the date, but it was after.		8	the decision to close it?	
9	Q. It was after she actually was in that		9	A. No.	
10	position?		10	Q. Did you have any feeling in, say,	
11	A. Oh, yes.		11	September, October, 2004, around the time Ms.	
12	Q. And would you say it is fair to say that		12	LoRusso became managing director of GA 2000, that GA	
13	although you were president, she was essentially the		13	2000 might be closed?	
14	head of that operation for operational purposes?		14	A. No.	
15	A. Definitely, yes.		15	Q. No, okay. And in the course of the year	
16	Q. She was running it?		16	that Ms. LoRusso was managing director, did you have	
17	A. Yes, and all the employees, as well.		17	any reason to think that anybody was thinking of	
18	Q. Did you ever hear any criticisms of Ms.		18	closing it?	
19	LoRusso's performance in that role?		19	A. No.	
20	A. Positive criticism, yes.		20	Q. You gave a lot of testimony to Ms. Kurzon	
21	Q. You heard criticism?		21	regarding the early-retirement plan, I should say	
22	A. Positive.		22	plans, that Alitalia instituted, correct?	
23	Q. Positive.		23	A. Correct.	
24	A. Very well.		24	Q. That's not a question. There were three	
25	Q. They said she was doing a good job?		25	such early-retirement plans, correct?	

26 (Pages 98 to 101)

Francesco Gallo

1/7/2008

1	GALLO	106	1	GALLO	108
2	A. Myself, Mr. Libutti, and the HR manager in		2	A. No, no, during the process because I had	
3	Rome, what's his name, and also Mr. Marchese because		3	the difficulties to have Ester promoted. And as I	
4	he had to release him because he was reporting to		4	testified before, I request the support of the main	
5	him. What's his name? I don't remember.		5	office. And also Mr. Libutti helped me to get rid	
6	Q. An HR person in Rome?		6	of her, you know, to have Cargo Division to accept	
7	A. Yes.		7	her.	
8	Q. Is this --		8	Q. Mr. Libutti helped you get her into the	
9	A. Not Shebilia.		9	Cargo Division?	
10	Q. No, not Shebilia, okay. Schioppa?		10	A. Yes.	
11	A. No, his assistant.		11	Q. How did he do that?	
12	Q. Schioppa's assistant approved this?		12	A. Talking to Galli and asking Galli to talk	
13	A. Yes.		13	to Mr. Ricci, who was the central director of cargo	
14	Q. The hiring of Mr. Oksuz as a vice		14	worldwide.	
15	president of regulatory affairs?		15	Q. And Mr. Libutti did that for you?	
16	A. He participated in the process, uh-huh,		16	A. Yes, for me.	
17	but not, what's his name, I don't remember his name		17	Q. Because he wanted to get rid of her?	
18	because I have it in front of me.		18	A. Yes.	
19	Q. Okay, but it was Schioppa's assistant?		19	Q. Get rid of her from the Passenger	
20	A. Yes.		20	Division, I mean.	
21	Q. And the four of you approved Mr. Oksuz to		21	A. Yes.	
22	replace Mr. D'Oro who took the early retirement,		22	Q. Yes?	
23	correct?		23	A. Yes.	
24	A. Yes.		24	Q. Are you aware that in the period from the	
25	Q. And do you know how old Mr. Oksuz was at		25	time that GA 2000 closed until Ester LoRusso began	
1	GALLO	107	1	GALLO	109
2	the time?		2	working in Cargo in April that she continued at her	
3	A. Thirty-three, 34.		3	managing director salary?	
4	Q. Thirty-three or 34?		4	A. Yes.	
5	A. Early 30s.		5	Q. Did Mr. Libutti object to that at all?	
6	Q. Or 35 or 36 maybe?		6	A. We never discussed it.	
7	A. Maybe.		7	Q. Did Mr. Libutti have anything to do with	
8	Q. You're not sure. We will talk a little		8	setting Ester LoRusso's salary in the Cargo	
9	bit more about Mr. Oksuz later.		9	Division?	
10	Who else besides Mr. D'Oro was replaced,		10	A. No.	
11	my question originally was by a new hire, but I will		11	Q. Did Mr. Galli have anything to do with	
12	just say by anybody from any of the ERPs?		12	setting Ester LoRusso's salary in the Cargo	
13	A. There were several. I don't recall them.		13	Division?	
14	But if you get the cards from personnel, you will		14	A. No.	
15	find it.		15	Q. The position in the Cargo Division, you	
16	Q. You testified that you were the person who		16	said there was a vacancy that occurred, correct?	
17	found the position for Ester LoRusso in the Cargo		17	A. Right.	
18	Department.		18	Q. In your opinion, was the position that	
19	A. Yes.		19	Ester LoRusso was given a real position?	
20	Q. Was Mr. Libutti involved at all?		20	A. Yes.	
21	A. He was informed of, yes.		21	Q. There was a real job to be done there,	
22	Q. Informed?		22	correct?	
23	A. Informed, right.		23	A. Right, especially at that time.	
24	Q. You mean as a fait accompli?		24	Q. Okay.	
25	MS. KURZON: Objection.		25	A. Right.	

28 (Pages 106 to 109)

Francesco Gallo

1/7/2008

1	GALLO	126	1	GALLO	128
2	A. I don't remember.		2	Q. Did you ever report that complaint or	
3	Q. Do you know whether Mr. Galli took part in		3	investigate that complaint at all?	
4	the two-day seminar?		4	A. Well, investigate? I saw where she was	
5	A. I don't remember.		5	located, I knew she was by herself, all the other	
6	Q. Do you know whether Mr. Galli was asked to		6	people left. The majority were not employees, were	
7	take part in the two-day seminar?		7	employees rented by agency, outside agency.	
8	A. Huh?		8	And I remember that talking to Giulio	
9	Q. Do you know whether Mr. Galli was asked to		9	Libutti saying we could move her back on our floor	
10	take part?		10	because, you know, she was really by herself and the	
11	A. I don't, I don't remember.		11	four walls there.	
12	Q. Moving on, you mentioned Tim O'Neill in		12	Q. And what did Mr. Libutti say in response?	
13	one of your responses to Mr. Koral's question about		13	A. As soon as we have free space, we may do	
14	who took over the marketing position after Ester was		14	that.	
15	moved to GA 2000.		15	Q. And did there eventually become free	
16	How old is Tim O'Neill?		16	space?	
17	MR. KORAL: Objection.		17	A. Then I left. I don't know. Yeah,	
18	MR. AKIN: You can answer.		18	probably my space.	
19	A. How is the question?		19	Q. Did she ever get moved to your space?	
20	Q. How old is Tim O'Neill, or excuse me,		20	A. I don't know.	
21	strike that.		21	Q. When Mr. Koral asked you whether you	
22	How old was Tim O'Neill when Ester was		22	considered Ester's transfer to GA 2000 to be a	
23	transferred to GA 2000?		23	promotion, and you said that you did consider it to	
24	A. I don't know, but I would say in his 40s.		24	be a promotion --	
25	Q. And do you know what position --		25	A. Sure.	
1	GALLO	127	1	GALLO	129
2	A. Probably more or less the same age. I		2	Q. -- in light of the increased salary.	
3	don't know exactly.		3	A. Not only that, because also because of the	
4	Q. Do you know what position Mr. O'Neill held		4	money, but I expected GA to grow, because that was	
5	before obtaining these new responsibilities?		5	the project.	
6	A. I believe he was assistant to Mr. Libutti.		6	Q. Do you know if Ester considered this a	
7	Q. In response to one of Mr. Koral's		7	promotion?	
8	questions, you mentioned Ester being located on the		8	MR. KORAL: Objection.	
9	37th floor.		9	Q. Did Ester tell you she considered this a	
10	A. 37th?		10	promotion?	
11	MR. AKIN: 32nd.		11	A. Ester always was under the impression	
12	Q. 32nd? I heard 37th.		12	that, you know, she will be fired, terminated.	
13	MR. KORAL: I heard 37th.		13	Q. You testified that Ester was under the	
14	MS. KURZON: Yes, that's what I heard, as		14	impression that GA 2000 was going to close, even	
15	well.		15	though you were not of that impression.	
16	Q. Did you ever receive any complaints from		16	A. No.	
17	Ester about where she was located at that time?		17	Q. Do you know Ester thought that GA 2000 was	
18	A. At a certain point, yes.		18	going to close?	
19	Q. What were those?		19	A. Because of the miserable life that they	
20	A. Because after that, all the employees were		20	made to her. I mean, how many times do I have to	
21	terminated within GA 2000, she left in that office,		21	tell you? Since they arrived, they were after her.	
22	in that space, by herself.		22	Q. While she was in GA 2000, you testified	
23	Q. And were her complaints just that she was		23	that you think Libutti and Galli agreed not to place	
24	by herself on the 37th floor?		24	her on probation.	
25	A. Yes.		25	At whose request did this come to not put	

33 (Pages 126 to 129)